

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

November 9, 2005

DONALD J. LEWIS, JOHN D. RUSSELL and JOHN O. MICHELINI

Serial No. : 10/805,657 Group Art Unit: 3747  
Filed : March 19, 2004 Examiner: Erick Solis  
For : IMPROVED MULTI-STROKE CYLINDER OPERATION IN AN  
INTERNAL COMBUSTION ENGINE

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98**

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

11/15/2005 JBALINAN 00000034 061510 10805657

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**BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97**

☒ **37 C.F.R. § 1.97(c)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, before the mailing of any of: a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

OR

☐ A check in the amount of \_\_\_\_\_ is enclosed.

☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account 06-1510

**CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98**

The present information disclosure statement includes any information noted above, along with a Form PTO/SB/08A (6 pages).

If applicable, a legible copy of the following is being included:

- (1) Each foreign patent or published foreign patent application, along with an English language abstract for all non-English foreign patent documents (identified by country or patent office, an appropriate document number, and the publication date).
- (2) Each publication (identified by published, author (if any), title, relevant pages of the publication, date, and place of publication).

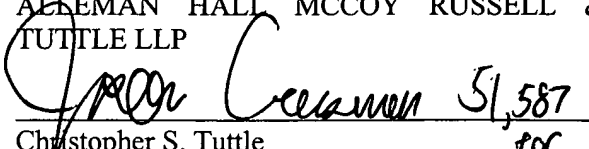
If there are any questions regarding this submission, please contact the undersigned.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being sent via first class mail addressed to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 9, 2005.

  
Lauren Barberena

Respectfully submitted,  
ALLEMAN HALL MCCOY RUSSELL &  
TUTTLE LLP

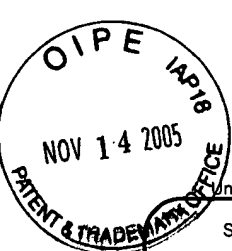
 51,587  
for  
Christopher S. Tuttle  
Registration No. 41,357

Customer No. 36865

Attorney for Applicant  
806 SW Broadway, Suite 600  
Portland, Oregon 97205

Telephone: (503) 459-4141

Facsimile: (503) 459-4142



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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/805,657
Filing Date	March 19, 2004
First Named Inventor	Donald J. Lewis
Art Unit	3747
Examiner Name	Erick Solis
Attorney Docket Number	81100264

Sheet 1 of 6

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 3,828,247	08-06-1974	Kirsch et al	
		US- 3,865,088	02-11-1975	Links	
		US- 4,009,695	03-01-1977	Ule	
		US- 4,732,117	03-22-1988	Tanahashi et al	
		US- 4,848,284	07-18-1989	Konno	
		US- 4,976,228	12-11-1990	Kawamura	
		US- 4,990,854	02-05-1991	Friz	
		US- 5,072,700	12-17-1991	Kawamura	
		US- 5,117,790	06-02-1992	Clarke et al	
		US- 5,123,397	06-23-1992	Richeson	
		US- 5,129,369	07-14-1992	Kawamura	
		US- 5,190,013	03-02-1993	Dozier	
		US- 5,201,296	04-13-1993	Wunning et al	
		US- 5,216,987	06-08-1993	Clarke	
		US- 5,284,116	02-08-1994	Richeson, Jr.	
		US- 5,408,958	04-25-1995	Esch et al	
		US- 5,442,515	08-15-1995	Wallaert	
		US- 5,617,829	04-08-1997	Bidner et al	
		US- 5,636,601	06-10-1997	Moriya et al	

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		US- 5,673,676	10-07-1997	Mukumoto	
		US- 5,930,992	08-03-1999	Esch et al	
		US- 5,934,231	08-10-1999	Schmitz et al	
		US- 5,947,095	09-07-1999	Kato	
		US- 5,957,095	09-28-1999	Kako	
		US- 5,992,153	11-30-1999	Tsuchihashi et al	
		US- 6,050,231	04-18-2000	Tisch et al	
		US- 6,062,186	05-16-2000	Barnes et al	
		US- 6,109,225	08-29-2000	Ogita et al	
		US- 6,178,934	01-30-2001	Hirasawa et al	
		US- 6,192,857	02-27-2001	Shimada	
		US- 6,202,608	03-20-2001	Yamaki et al	
		US- 6,216,652	04-17-2001	Gramann et al	
		US- 6,247,449	06-19-2001	Persson	
		US- 6,330,870	12-18-2001	Inoue et al	
		US- 6,332,445	12-25-2001	Voss et al	
		US- 6,333,843	12-25-2001	Boie et al	
		US- 6,336,436	01-08-2002	Miyakubo et al	
		US- 6,363,907	04-02-2002	Arai et al	

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First Named Inventor	Donald J. Lewis
Art Unit	3747
Examiner Name	Erick Solis
Attorney Docket Number	81100264

Sheet 3 of 6

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		US- 6,367,437	04-09-2002	Nakamura et al	
		US- 6,374,783	04-23-2002	Toriumi	
		US- 6,382,193	05-07-2002	Boyer et al	
		US- 6,389,806	05-21-2002	Glugla et al	
		US- 6,390,038	05-21-2002	Di Lieto et al	
		US- 6,397,813	06-04-2002	Han et al	
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		US- 6,460,500	10-08-2002	Ooyama et al	
		US- 6,505,113	01-07-2003	Eichenseher et al	
		US- 6,523,504	02-25-2003	Miura	
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		US- 6,546,910	04-15-2003	Tanaka et al	
		US- 6,550,240	04-22-2003	Kolmanovsky et al	
		US- 6,553,961	04-29-2003	Hammoud et al	
		US- 6,595,183	07-22-2003	Olofsson	
		US- 6,619,245	09-16-2003	Fujiwara et al	
		US- 6,637,386	10-28-2003	Murata et al	

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		US- 6,647,947	11-18-2003	Boyer et al	
		US- 6,681,173	01-20-2004	Turner et al	
		US- 6,701,887	03-09-2004	Salber et al	
		US- 6,718,928	04-13-2004	Brueggen et al	
		US- 6,736,121	05-18-2004	Surnilla	
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		US- 6,766,641	07-27-2004	Surnilla et al	
		US- 6,772,723	08-10-2004	Aoki et al	
		US- 6,785,603	08-31-2004	Inoue	
		US- 6,799,421	10-05-2004	Surnilla	
		US- 6,883,319	04-26-2005	Ekenberg	
		US- 6,898,927	05-31-2005	Morinaga et al	
		US- 6,912,995	07-05-2005	Miura	
		US- 6,938,598	09-06-2005	Lewis et al	
		US- 2001/0023667	09-27-2001	Miura	
		US- 2002/0038541	04-04-2002	Surnilla et al	
		US- 2002/0157630	10-31-2002	Gerhard et al	
		US- 2003/0051465	03-20-2003	Kolmanovsky et al	
		US- 2003/0070423	04-17-2003	Morinaga et al	

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Examiner Signature		Date Considered	
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Sheet	5	of	6
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## U. S. PATENT DOCUMENTS

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				Examiner Name	Erick Solis
Sheet	6	of	6	Attorney Docket Number 81100264	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		KLUTING, FLIERL, GRUDNO and LUTTERMANN; MTZ Magazine, August 1999, "Drosselfreie Laststeuerung miy vollvariablen Ventiltrieben"	✓

Examiner Signature		Date Considered	
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